



**TOWN OF CEDAR LAKE  
BOARD OF ZONING APPEALS  
PUBLIC MEETING  
September 10, 2020 7:00 P.M.**

In accordance with the Governor's Executive order relating to COVID-19, we have arranged a live stream of tonight's meeting at <https://cedarlakein.org/view-town-meetings/>. You must join the meeting through the link to participate during public comment. If you have a question or comment about an item on the agenda, please email [michelle.bakker@cedarlakein.org](mailto:michelle.bakker@cedarlakein.org) by 4 pm. Ms. Bakker will ensure that all submissions are shared and submission entered into the minutes of the meeting. Please keep your comments civil and constructive to the public policy issues.

Call to Order (Time): \_\_\_\_\_

Pledge to Flag:

Roll Call:

- |  |  |
|--|--|
| <input type="checkbox"/> Nick Recupito   | <input type="checkbox"/> David Austgen, Town Attorney            |
| <input type="checkbox"/> Jerry Wilkening | <input type="checkbox"/> Tim Kubiak, Director of Operations      |
| <input type="checkbox"/> John Kiepura    | <input type="checkbox"/> Michelle Bakker, Building Administrator |
| <input type="checkbox"/> Jeremy Kuiper   | <input type="checkbox"/> Tammy Bilgri, Recording Secretary       |
| <input type="checkbox"/> Jeff Bunge      |  |

**Minutes:**

August 13, 2020 Public Meeting

Motion: _____		2 <sup>nd</sup> : _____			
Nick Recupito	Jerry Wilkening	John Kiepura	Jeff Bunge	Jeremy Kuiper	Vote

**Old Business:**

**1. Gierczyk - Use Variance**

Owner: Cedar Lake 132<sup>nd</sup> & Morse, LLC, 16200 Clinton St., Harvey, IL 60426  
Petitioner: Joshua Gierczyk, 9 Gianna Drive, Flossmoor, IL 60422  
Vicinity: 13205 Morse St., Cedar Lake, IN 46303  
Legal Description: SHADES ADD. CEDAR LAKE PLAT B A ALL L.12 BL.7 ALL L.13 BL.7  
Tax Key Number(s): 45-15-23-455-002.000-043

Request: Petitioner is requesting a Use Variance from Zoning Ordinance No. 496, Title XIII-Community Business (B-2) Zoning District

***This Use Variance is to allow the Petitioner to park and sell food out of a food truck with parking for customers on site and overflow in the adjacent lot with tables/benches for outdoor dining.***

**Deferred from August 13, 2020**

- a) Attorney to Review Legals:
- b) Petitioner's Comments:
- c) Remonstrators:
- d) Building Department's Comments:
- e) Board's Discussion:
- f) Board's Recommendation to Town Council:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

Nick Recupito	Jerry Wilkening	John Kiepora	Jeff Bunge	Jeremy Kuiper	Vote

**New Business:**

**1. Krueger – Developmental Variance**

Owner/Petitioner: Robert Krueger, 14822 A Drummond Ave., Cedar Lake, IN 46303  
Vicinity: 14822 A Drummond Ave., Cedar Lake, IN 46303  
Legal Description: Lynnsway Unit 2 N.55ft of Lot 80  
Tax Key Number(s): 45-15-33-477-016.000-014

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXI-Fence Regulations: Section 1: A. 1) No fences shall be located in a front yard; Section B. 2) The fence shall not exceed a height of four feet (4'); however, if the fence is constructed with material such as wrought iron or wood piers, a six foot (6') high fence is allowed if the entire fence design is at least fifty percent (50%) open to allow increased visibility to pedestrians and motorists

***This Developmental Variance is to allow the Petitioner to build a six ft. (6') privacy fence in a front yard with a setback of twenty-one ft. (21') off of 148<sup>th</sup> Place***

- a) Attorney to Review Legals:
- b) Petitioner's Comments:
- c) Remonstrators:
- d) Building Department's Comments:
- e) Board's Discussion:
- f) Board's Decision:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

Nick Recupito	Jerry Wilkening	John Kiepora	Jeff Bunge	Jeremy Kuiper	Vote

**2. Rossi – Developmental Variance**

Owner/Petitioner: Sebastian & Michelle Rossi, 14765 Ivy St., Cedar Lake, IN 46303  
Vicinity: 14765 Ivy St., Cedar Lake, IN 46303  
Legal Description: Lynnsway Unit 2 Lot 35  
Tax Key Number(s): 45-15-33-481-008.000-014

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXIV-Swimming Pool Regulations-Section 3:  
Location: No portion of an outdoor swimming pool shall be located at a distance of less than ten (10') feet from any side or rear property line, or building line, or at any other location where a "structure" is prohibited under the other terms of this Zoning Ordinance

***This Developmental Variance is to allow the Petitioner to have a 12'x24' pool in a front yard of a through lot***

- a) Attorney to Review Legals:
- b) Petitioner's Comments:
- c) Remonstrators:
- d) Building Department's Comments:
- e) Board's Discussion:
- f) Board's Decision:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

Nick Recupito	Jerry Wilkening	John Kiepora	Jeff Bunge	Jeremy Kuiper	Vote

### 3. Benton – Developmental Variance

Owner/Petitioner: Paul & Susan Benton, 13304 Schneider St., Cedar Lake, IN 46303  
Vicinity: 13304 Schneider St., Cedar Lake, IN 46303  
Legal Description: HANOVER PLAT A. ALL LOTS 28,29,&30  
Tax Key Number(s): 45-15-28-102-009.000-014

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXIII-Accessory Regulations: Section 1: 4) No accessory buildings shall be allowed in the front yard of any residential lot

***This Developmental Variance is to allow the Petitioner to build a twenty-six by thirty (26'x30') garage in the front yard of a corner lot***

- a) Attorney to Review Legals:
- b) Petitioner's Comments:
- c) Remonstrators:
- d) Building Department's Comments:
- e) Board's Discussion:
- f) Board's Decision:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

Nick Recupito	Jerry Wilkening	John Kiepora	Jeff Bunge	Jeremy Kuiper	Vote

### 4. Hawrot - Developmental Variance

Owner/Petitioner: Doug Hawrot, 14908 A Carey St., Cedar Lake, IN 46303  
Vicinity: 14908 A Carey St., Cedar Lake, IN 46303  
Legal Description: Lynns way Unit 3 S.54.15ft. of Lot 126  
Tax Key Number(s): 45-19-04-226-001.000-057

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title IX-Residential Two-Family (RT) Zoning District: Section 4: C. Side Yard: On each lot, except as otherwise specified, there shall be two (2) side yards, each having a width of not less than ten (10) feet and the aggregate width of both side yards on any lot shall not be less than twenty percent (20%) of the width of the lot

***This Developmental Variance is to allow the Petitioner to build a 16'x24' deck with a four ft. (4') side yard setback***

- a) Attorney to Review Legals:
- b) Petitioner's Comments:
- c) Remonstrators:
- d) Building Department's Comments:
- e) Board's Discussion:
- f) Board's Decision:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

Nick Recupito	Jerry Wilkening	John Kiepora	Jeff Bunge	Jeremy Kuiper	Vote

## 5. Boudreau - Developmental Variance

Owner/Petitioner: Steve Boudreau, 8311 W. 147<sup>th</sup> Ave., Cedar Lake, IN 46303  
 Vicinity: 8311 W. 147<sup>th</sup> Ave., Cedar Lake, IN 46303  
 Legal Description: W.633ft of N.575ft of Gov. Lot 4 Ly'ng S. of Rd. S.34 T.34 R.9 Ex. W.165ft & Ex. E.198ft of W.363ft of N.220.5ft 5.0Ac  
 Tax Key Number(s): 45-15-34-476-001.000-014

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXIII-Accessory Regulations: Section 1: A. 2) Exterior wall height shall not exceed ten (10') feet from the finish floor surface; Lot Size 2.01 acres or greater – 2,000 square feet; Section 4) No accessory buildings shall be allowed in the front yard of any residential lot.

***This Developmental Variance is to allow the Petitioner to build a two thousand four hundred sq. ft. (40x60) steel pole barn with a height of seventeen ft. point six (17'.6") and wall height of sixteen ft. (16') in the front yard***

- g) Attorney to Review Legals:
- h) Petitioner's Comments:
- i) Remonstrators:
- j) Building Department's Comments:
- k) Board's Discussion:
- l) Board's Decision:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

Nick Recupito	Jerry Wilkening	John Kiepora	Jeff Bunge	Jeremy Kuiper	Vote

## 6. Cedar Lake Early Learning Academy - Use Variance

Owner: Richard & Carolee Yancey, 13408 Wicker Ave., Cedar Lake, IN 46303  
Petitioner: Cedar Lake Early Learning, 13115 Wicker Ave., Cedar Lake, IN 46303  
Vicinity: 13410 Wicker Ave., Cedar Lake, IN 46303  
Legal Description: YANCEY'S SUBDIVISION LOT 2  
Tax Key Number(s): 45-15-29-229-034.000-014

Request: Petitioner is requesting a Use Variance from Zoning Ordinance No. 496, Title XIV-General Business (B-3) Zoning District

***This Use Variance is to allow the Petitioner to operate Cedar Lake Early Learning Academy a child care facility***

- a) Attorney to Review Legals:
- b) Petitioner's Comments:
- c) Remonstrators:
- d) Building Department's Comments:
- e) Board's Discussion:
- f) Board's Recommendation to Town Council:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

Nick Recupito	Jerry Wilkening	John Kiepura	Jeff Bunge	Jeremy Kuiper	Vote

## 7. Porter – Special Use Variance

Owner: Porter Bros., LLC, 2805 W. 47<sup>th</sup> Ave., Gary, IN 46408  
Petitioner: Tim Porter, 2805 W. 47<sup>th</sup> Ave., Gary, IN 46308  
Vicinity: 9019 W. 133d Ave., Cedar Lake, IN 46303  
Legal Description: Pt. SE.1/4 SW.1/4 S.22 T.34 R.9 2.25Ac  
Tax Key Number(s): 45-15-22-389-003.000-014

Request: Petitioner is requesting a Special Use Variance from Zoning Ordinance No. 496, Title XVI-Light Industrial (M-1) Zoning District

***This Special Use Variance is to allow the Petitioner to operate an indoor/outdoor storage facility for boats, RV's, cars and trucks***

- a) Attorney to Review Legals:
- b) Petitioner's Comments:
- c) Remonstrators:
- d) Building Department's Comments:
- e) Board's Discussion:
- f) Board's Recommendation to Town Council:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

Nick Recupito	Jerry Wilkening	John Kiepura	Jeff Bunge	Jeremy Kuiper	Vote

## 8. Czyweski – Special Use Variance

Owner/Petitioner: Zbigniew & Malgotzata Czyzewski, 2071 Kentland Dr., Romeoville, IL 60446  
Vicinity: 13130 Wicker Ave., Cedar Lake, IN 46303  
Legal Description: N.91FT OF E.200FT OF S.1030FT E.1/2 SE SE S.20 T.34 R.9 0.415AC. M/L  
Tax Key Number(s): 45-15-20-479-014.000-014

Request: Petitioner is requesting a Special Use Variance from Zoning Ordinance No. 496, Title XIII-Community Business (B-2) Zoning District

***This Special Use Variance is to allow the Petitioner operate a sales office for ZMC Auto Sales, Inc. a B-3 use in a B-2 Zoning District***

- a) Attorney to Review Legals:
- b) Petitioner's Comments:
- c) Remonstrators:
- d) Building Department's Comments:
- e) Board's Discussion:
- f) Board's Recommendation to Town Council:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

Nick Recupito	Jerry Wilkening	John Kiepura	Jeff Bunge	Jeremy Kuiper	Vote

## 9. Middleton - Use Variance

Owner: Brian LaLonde, 9854 Hedwig Dr., St. John, IN 46373  
Petitioner: Larry Middleton, 7241 W. 134<sup>th</sup> Pl., Cedar Lake, IN 46303  
Vicinity: 13640 Morse St., Cedar Lake, IN 46303  
Legal Description: E.140.4FT OF THE 158.8FT. LY'G BTWN ELIZABETH ST. & IDA ST. IN THE W.1/2 S.26 T.34 R.9 .511AC.  
Tax Key Number(s): 45-15-26-185-032.000-043

Request: Petitioner is requesting a Use Variance from Zoning Ordinance No. 496, Title XII-Neighborhood Business (B-1) Zoning District

***This Use Variance is to allow the Petitioner to operate two (2) businesses on a lot in a B-1 Zoning; a construction office with outdoor storage for a dump truck and camper and a photography studio***

- a) Attorney to Review Legals:
- b) Petitioner's Comments:
- c) Remonstrators:
- d) Building Department's Comments:
- e) Board's Discussion:
- f) Board's Recommendation to Town Council:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

Nick Recupito	Jerry Wilkening	John Kiepura	Jeff Bunge	Jeremy Kuiper	Vote

**Public Comment:**

**Adjournment:** Time: \_\_\_\_\_

**Press Session:** Board of Zoning Appeals Meeting – October 8, 2020 at 7:00pm

*The Town of Cedar Lake is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding accessibility of the meeting or the facilities, please contact the Town Hall at (219) 374-7400.*